

# Kansas Administrative Regulations

CONTAINING ALL OF THE REGULATIONS OF  
ARTICLES 1 THROUGH 28 OF AGENCY 28  
Approved For Printing by the  
State Rules and Regulations Board

*Compiled and Published by the Office of the Secretary of State of Kansas*  
RON THORNBURGH, *Secretary of State*

UNDER AUTHORITY OF K.S.A. 77-415 et seq.



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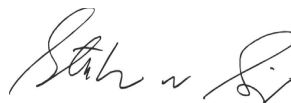
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Office of the Secretary of State  
Elections/Legislative Matters Division  
1st Floor, Memorial Hall  
120 SW 10th Ave.  
Topeka, KS 66612-1594

## AUTHENTICATION OF RULES AND REGULATIONS

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THIS IS TO CERTIFY That we, Steve Six, Attorney General of and for the State of Kansas, and Ron Thornburgh, Secretary of State of and for the State of Kansas, pursuant to K.S.A. 77-429 have examined and compared this 2009 Volume 2 of the Kansas Administrative Regulations; and do hereby certify that this publication of rules and regulations contains all rules and regulations for articles 1 through 28 of agency 28, approved for printing by the State Rules and Regulations Board and otherwise complies with K.S.A. 77-415 *et seq.* and acts amendatory thereof.

Done at Topeka, Kansas, this 1st day of October, 2009.



STEVE SIX,  
*Attorney General*



RON THORNBURGH,  
*Secretary of State*

[SEAL]

## **EXPLANATORY PREFACE**

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This volume has been compiled and published in accordance with K.S.A. 77-430a and other applicable laws.

### **ARRANGEMENT OF RULES AND REGULATIONS**

Administrative rules and regulations of the various state agencies are arranged in accordance with a three-part system of numbers divided by hyphens. The first number indicates the agency; the second number indicates the article (a group of regulations of such agency upon the same subject); the last number indicates the specific section or regulation within the article. For example, "1-4-11" refers to agency No. 1, article No. 4 and section No. 11.

The law requires that agencies cite the statutory authority for the regulation and the section(s) of the statutes which the regulation implements. This is published at the end of the text of the regulation. In addition, the Secretary of State includes a history of the regulation which indicates the original effective date of the regulation and each subsequent amendment.

### **SALES**

Volumes of the Kansas Administrative Regulations are sold by the Elections/Legislative Matters Division of the Office of the Secretary of State, First Floor, Memorial Hall, 120 SW 10th Ave., Topeka, KS 66612-1594, (785) 296-4557.

RON THORNBURGH, *Secretary of State*

## COMMENTARY

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This volume has been compiled and published in accordance with K.S.A. 77-430a and other applicable laws.

The 2009 Volumes contain rules and regulations filed before Jan. 1, 2009. The volumes replace the 2006 Volumes and 2008 Supplement. Regulations filed on and after Jan. 1, 2009 may be located by checking the Kansas Register, Kansas' official state newspaper. An index appears at the back of each Kansas Register and lists the volume and page number of the Register that contains the most recent version of the particular regulation. To receive a copy or subscribe to the Kansas Register, write to the Secretary of State's Office, Kansas Register, First Floor, Memorial Hall, 120 SW 10th Ave., Topeka, KS 66612, or call (785) 296-3489.

The history at the end of each regulation cites the authorizing and implementing statute(s). Any subsequent action follows. For example, in "amended, T-7-12-11-90, Dec. 31, 1990" the "T" means temporary, the "7" is the number assigned to the agency in the K.A.R. volumes, and 12-11-90 is the date that the regulation was filed. Following the last comma is the effective date. Therefore, the amendment was filed as a temporary regulation on Dec. 11, 1990 and the amendment became effective on Dec. 31, 1990. If the "T number" is not included in an action on a regulation, the regulation was filed as a permanent regulation. A temporary regulation becomes effective upon approval by the State Rules and Regulations Board and filing in the Secretary of State's Office or at a later date when specified in the body of the regulation. A temporary regulation lasts 120 days unless it is amended or revoked within 120 days. A permanent regulation is effective 15 days following publication in the Kansas Register or at a later date specified in the body of the regulation. Prior to July 1, 1995, a permanent regulation became effective 45 days following publication in the Kansas Register or at a later date specified in the body of the regulation. The regulation remains in effect until amended or revoked.

To find the most recent version of a regulation, first check the index in the Kansas Register, next check the current K.A.R. Supplement, and finally check the current K.A.R. volume. *If the regulation is found at any of these sequential steps, stop and consider that version the most recent.*

*General Rules: Volumes replace earlier volumes.*

*Supplements replace earlier supplements.*

*Supplements are additions that "supplement" current volumes.*

For example, the 2009 Volumes replace the 2006 Volumes. The 2008 Supplement replaced the 2007 Supplement. Because all six volumes were published this year, the 2008 supplement is no longer necessary. At printing, the current publication is the 2006 Kansas Administrative Regulations Volumes. Regulations filed after Dec. 31, 2008 can be found by using the Kansas Register's index to the K.A.R. When an individual volume is published, it replaces the same volume of an earlier year. For example, a 2009 Volume 2 would replace a 2006 Volume 2.

Any questions regarding the K.A.R. may be directed to the Secretary of State's Office by calling (785) 296-4564. Questions regarding the filing procedure may be directed to the Kansas Administrative Regulations Editor at (785) 296-2114. For purchasing inquiries call (785) 296-4557. Questions concerning the subject matter of a regulation should be directed to the agency administering the regulation.

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° *Editor's note.*



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